

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IHEANYI D. OKOROAFOR,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 05-30184-MAP
)	
DEPARTMENT OF MENTAL HEALTH,)	
ET AL,)	
Defendants)	

MEMORANDUM AND ORDER REGARDING
PLAINTIFF'S MOTION FOR RECONSIDERATION
(Docket No. 12)

November 21, 2005

PONSOR, D.J.

On August 9, 2005, the plaintiff filed this complaint alleging impropriety in connection with disciplinary action taken against him while he was an employee of the Department of Mental Health. On October 12, 2005, the defendants filed a Motion to Dismiss on the ground that the complaint fails to contain a short and plain statement of facts and its allegations are so vague and ambiguous that the defendants are unable to frame a responsive pleading. Pursuant to Rule 7.1(B)(2) of the Local Rules of the United States District Court for the District of Massachusetts, a party opposing a motion shall file an opposition to the motion within fourteen days after service of the motion.

Based on plaintiff's failure to file any opposition to the defendants' motion within the required period, the court on November 2, 2005 allowed the Motion to Dismiss. Judgment

entered for the defendants on the same day.

On November 18, 2005, the court clerk received a letter from the plaintiff claiming that he was misinformed with regard to his obligation to respond to the Motion to Dismiss. The court has construed this letter as a Motion for Reconsideration and has allowed it, in order to give the plaintiff time to file his opposition to the Motion to Dismiss, if he wishes to do so. Accordingly, the plaintiff is hereby given until December 16, 2005 to file his opposition to the defendants' Motion to Dismiss. Plaintiff is warned that failure to file an opposition by that date will result in a final order of dismissal and entry of judgment for the defendants.

If plaintiff does file his opposition by the required deadline, the court may address the motion on the papers, without hearing, or may set the matter for oral argument.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge